

PUBLIC NOTICE

Administrative Complaint, Findings of Violation, Notice of proposed Assessment of a Civil Penalty, and Notice of Opportunity to Request a Hearing

RESPONDENT: UTA of KJ, Inc.
P.O. Box 477, Monroe, NY 10949
55 Forest Road, Monroe, NY 10950

SITE/FACILITY: UTA of KJ, Inc. Beth Rachel Girls School Construction Site
Off of Israel Zupnick Drive, Village of Kiryas Joel,
Orange County, New York 10950

PERMIT NUMBER: Not applicable

DOCKET NO. CWA-02-2014-3402

PUBLIC NOTICE NO. 2015-01

COMPLAINANT: Dore LaPosta, Director
Division of Enforcement and
Compliance Assistance
U.S. EPA, Region 2
290 Broadway
New York, NY 10007-1866

PUBLIC COMMENT PERIOD: 30 days from publication date

SUMMARY & DESCRIPTION OF VIOLATION: EPA is providing notice of a proposed administrative penalty assessment for alleged violations of the Clean Water Act (Act). EPA is also providing notice of opportunity to comment on the proposed complaint filed on September 29, 2014 with the Regional Hearing Clerk. Under 33 U.S.C. §1319(g), EPA is authorized to issue Orders assessing civil penalties for various violations of the Act. EPA may issue such Orders after the commencement of a Class I or Class II penalty proceeding. EPA provides Public Notice of the proposed assessment pursuant to 33 U.S.C. §1319(g)(4)(A).

Administrative civil penalty proceedings are conducted under EPA's "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation Termination or Suspension of Permits", 40 C.F.R. Part 22. The procedures through which the public may submit written comment on a proposed administrative penalty action or participate in an administrative penalty proceeding, and the procedures by which a Respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on this administrative civil penalty proceeding is thirty (30) days after issuance of this Public Notice.

UTA of KJ, Inc. owns and/or operates a construction site known as UTA of KJ Beth Rachel Girls School off of Israel Zupnick Drive, Village of Kiryas Joel, Orange County, New York. The Complaint proposes a penalty of **\$130,000** for UTA of KJ, Inc.'s alleged discharges of stormwater associated with construction activity without coverage under the required State Department of Environmental Conservation State Pollutant Discharge Elimination System General Permit for Stormwater Discharges

from Construction Activity, GP-0-10-001, into Tributary No. 25, a Class C Tributary of the Ramapo River, and for its failure to comply with EPA Requests for Information in a timely manner.

FOR FURTHER INFORMATION: Karen Maples, EPA Region 2, 290 Broadway, 16th Floor, New York, New York 10007 (212) 637-3247.

Persons wishing to receive a copy of EPA's Consolidated Rules of Practice or review documents filed in these proceedings, comment upon the proposed assessments, or otherwise participate in any of the proceedings, should contact the person named above. Unless otherwise noted, the administrative record for these proceedings is located in the EPA Regional Office identified above, and the files will be made available for public inspection upon request to the person listed above during normal business hours. All pertinent information submitted by the Respondent is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.

Dated: October 2, 2014

**Dore LaPosta, Director
Division of Enforcement and Compliance Assistance**

| PUBLIC NOTICE | DATE OF PUBLIC NOTICE | DATE COMMENT PERIOD ENDS | DOCKET NO. OR PERMIT NO. | RESPONDANT OR APPLICANT | ACTION | PROPOSED PENALTY |
|---------------|-----------------------|--------------------------|--------------------------|--|--------------------------------------|------------------|
| | | | CWA-02-2014-3402 | UTA of KJ, Inc. (UTA of KJ Beth Rachel Girls School) 55 Forest Road Kiryas Joel, New York 10950 | CLASS 2 ADMINISTRATIVE PENALTY ORDER | \$130,000 |